

Message Text

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PAGE 01 STATE 010195
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E.O. 11652: N/A

TAGS: CPRS, IS

SUBJECT: RUSSIAN ECCLESIASTICAL MISSION'S CLAIMS AGAINST
GOI.

1. DEPARTMENT REQUESTS THAT EMBASSY REVIEW WITH GOI STATUS
OF RUSSIAN ECCLESIASTICAL MISSION'S CASE, INQUIRING ABOUT
REM'S OUT-OF-COURT SETTLEMENT PROPOSALS AND GOI'S RESPONSE.
REM'S PROPERTY CLAIMS CONTINUE TO BE LITIGATED IN ISRAELI
COURTS, AND DEPARTMENT WOULD LIKE TO KNOW ALSO WHAT RESPON-
SIBLE GOI AUTHORITIES FEEL ABOUT PROSPECTS FOR CONCLUSION
OF COURT CASE.

2. USG HAS NOT ESPOUSED REM'S CASE, BUT WE HAVE MADE IT
CLEAR TO GOI THAT WE FOLLOW CASE WITH INTEREST BECAUSE PAR-
ENT ORGANIZATION IN NEW YORK IS AMERICAN CORPORATION.

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PAGE 02 STATE 010195

3. REM'S LAWYERS REPORT THAT ISRAELI AUTHORITIES, AFTER
FIRST INDICATING INTEREST, HAVE NOW GIVEN FLAT "NO" TO REM'S
PROPOSALS FOR OUT-OF-COURT SETTLEMENT OF CLAIMS. ARCHIMAN-
DRITE ANTHONY GRABBE, CHIEF OF REM, PROVIDED DEPARTMENT
WITH HIS SIDE OF CASE IN LETTER OF NOVEMBER 6, COPY OF WHICH
WENT TO CONGEN. WE REPLIED TO GRABBE THAT WE WOULD MAKE

FURTHER INQUIRIES ABOUT STATUS OF CASE AND POSSIBILITY
FOR SETTLEMENT.

4. TO SUMMARIZE, PROPERTY IN JAFFA IS PRESENTLY OCCUPIED
BY SOVIET ECCLESIASTICAL ORGANIZATION. REM COMMENCED
COURT PROCEEDING AGAINST RUSSIANS IN MARCH 1971 AND AGAINST
A MR. BALAHAS, WHO LEASES PART OF JAFFA PROPERTY FROM
RUSSIANS, IN JUNE 1972. THIRD SUIT BEGUN BY REM AND OPS
(ORTHODOX PALESTINE SOCIETY, ANOTHER ORGANIZATION AFFILIA-
TED WITH RUSSIAN ORTHODOX CHURCH ABROAD) IN JULY 1972
AGAINST STATE OF ISRAEL FOR RECOVERY OF PROPERTY IN
JERUSALEM AREA. THIS LAST ACTION WAS SCHEDULED FOR
FURTHER TRIAL TO BEGIN SEPTEMBER 13, 1976.

5. IN JULY 1976, GRABBE ASKED U.S. GOVERNMENT TO SEND
OBSERVER TO COURT SESSION BETWEEN REM AND STATE OF ISRAEL
WHICH WAS DUE TO RECONVENE IN SEPTEMBER AS DEMONSTRATION
OF U.S. MORAL SUPPORT. DEPARTMENT DECIDED THIS WOULD NOT
BE APPROPRIATE, BUT ON AUGUST 23, DEPARTMENT DID INFORM
ISRAELI EMBASSY THAT U.S. WAS INTERESTED IN CASE AND HOPED
THAT IT COULD BE CONCLUDED SOON.

6. ON FEBRUARY 23, 1975, ISRAELI SUPREME COURT HELD THAT
REM MUST PROVE THAT IT IS A LEGALLY CONSTITUTED BODY.
STATE'S LAWYER ASKED FOR THIS SAME PROOF OF OPS' LEGAL
BASIS ON APRIL 4, 1975. WHEN LAST HEARD FROM, REM-OPS
LAWYERS WERE ATTEMPTING TO OBTAIN COPIES OF TURKISH
FIRMANS ISSUED BETWEEN 1905 AND 1911 THAT THEY BELIEVE
WOULD ESTABLISH LEGAL BASIS OF REM AND OPS.
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PAGE 03 STATE 010195

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